

REMARKS

Applicants' attorney again thanks the Examiner for taking the time to discuss this case during our recent interview. Applicants have made the minor grammatical changes to claim 1 to remove intended use language, as the Examiner requested. As acknowledged, these changes should have no effect on the scope of the claim protection. Thus, as discussed in the interview, claims 1-40 are in allowable form and the Applicants respectfully request a Notice of Allowance.

While Applicants expect the claims to be allowed, Applicants address the rejections raised in the recent Office Action to confirm that none of the cited references, alone or in combination, render the current claims unpatentable. The Office has rejected the current claims as being obvious in light of Lebda, simply noting that Lebda discloses "using a computer for an online credit application based upon personal information about a buyer using a first and second web servers." (Office Action at 2.) The Office Action then goes on to suggest that all of the remaining claim limitations are common knowledge, inherent or obvious to one of ordinary skill without providing any support for its position. The Office provides **no** additional basis for its rejection. The Office's terse rejection should be withdrawn for at least the following reasons.

As the Office acknowledges, Lebda is a method for coordinating a loan over the internet by bringing together banks and customers. The Lebda method, however, does not sell any products, and thus, does not disclose a "first web server including product information regarding at least one product being offered for sale on the first web server," nor does it disclose determining "at least a likelihood of the buyer being approved for financing of the at least one product being offered for sale online."

Realizing that Lebda does not disclose or suggest selling products, the Office makes a stretch and suggests that the bank loan can be considered the "product." The logic fails for several reasons. First, even assuming that Lebda discloses providing product information (a position that the Applicants refute), Lebda does not disclose a "first web server including product information" on the loan. Moreover, Lebda does not disclose identifying the "likelihood of the buyer being approved for financing" of the loan – why would one need to take out a loan on a

loan? Thus, for each of these reasons Lebda does not render claims 1-40 of the present application obvious.¹

CONCLUSION

Based on at least the foregoing, the Applicants believe that claims 1-40 are in condition for allowance.

Applicants appreciate the Office's thorough examination of this case, which has been pending for over six years and has been subject to multiple different rejections in light of multiple different references. Given the state of the prosecution, however, if the Examiner disagrees or has any question regarding this submission, the Applicants request that the Examiner set-up a telephone interview with the undersigned at (312) 775-8000 prior to issuing any further action.

¹ Finally, in the event that the Office instead chooses to maintain its obviousness rejection, the Office should be required to provide a new rejection providing a clear basis for its position. M.P.E.P. Section 707 and 37 CFR 1.104(c)(2) both require an Examiner to clearly state the basis for rejecting the claims. Examiners are required to address each limitation of each claim, and are prohibited from making omnibus rejections of all claims unless that rejection is applicable to all claims. Not only did the Office not clearly articulate the basis for rejecting each pending claim, but the Office failed to address numerous limitations contained in the pending claims. Thus, in the event that the Office intends to maintain this objection, the Office should be required to comply with its obligations under the M.P.E.P. and Code of Federal Regulations, and clearly articulate its basis for rejecting each of the pending claims.

A Notice of Allowance is courteously solicited.

Respectfully submitted,

Dated: July 30, 2007

By: _____



Ronald H. Spuhler

Reg. No. 52,245

McAndrews, Held & Malloy, Ltd.
500 West Madison Street - Ste. 3400
Chicago, Illinois 60661
(312) 775-8000